

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

RECEIVED OFFICE U.S. DIST. COURT
AT RICHMOND, VA

MAR 05 2010

~~JOHN F. CONNELL, CLERK
BY:
NOTARY CLERK~~

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The respondent's motion to dismiss shall be and hereby is **GRANTED**; and
 2. The petition for writ of habeas corpus filed by the petitioner shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 5th day of March, 2010.

John Caudell

United States District Judge